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**Via ECF**

Honorable Judge Marcia M. Henry  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, NY 11201

Re: *Government Employees Insurance Company, et al. v. Gerling, et al.*  
Case Number: 1:23-cv-07693-PKC-MMH

Dear Judge Henry:

We represent Plaintiffs in this matter. Together with counsel for the Defendants, we write to provide the Court with a joint status report. The parties are currently in the process of exchanging written discovery, and have been in communication with one another regarding deadlines and compliance. Plaintiffs have had preliminary settlement discussions with each of the Defendant groups, but it is, as of yet, unclear whether those discussions will progress to the point of disposing of some or all of Plaintiffs' claims. Finally, Defendants Michael Gerling, M.D., NY Orthopedics, P.C., Gerling Institute NJ, P.C., Spine Health Orthopedic, P.C., and Spine Consult NJ, P.C. have moved to quash Plaintiffs' subpoenas to JP Morgan Chase and Bank of America, which seek the corporate bank records of the Gerling entities as well as for Defendant Campiro, Inc. and nonparty AK Advertising, Inc. *See* ECF No. 40. Plaintiffs have opposed that motion (ECF No. 41), which remains pending before the Court.

We thank the Court for its time and attention to this matter.

Respectfully submitted,

RIVKIN RADLER LLP

/s/ *Steven T. Henesy*  
Steven T. Henesy

cc: All counsel *via* ECF